

REMARKS

The enclosed is responsive to the Office Action mailed on August 14, 2009. By way of the present response applicant has: 1) amended claims 1, 4, 5, 11-16, and 53; 2) added claims 56-57; and 3) canceled claims 2-3.

Applicants have amended the claims to clarify the claimed subject matter. Support for the amendments and new claims is found in the specification as originally filed, e.g., at least in paragraphs [0019], [0079], [0081], [0096], and [0110], as well as in Tables I, V, VII, and IX, and in Figures 5, 6G, and 8A. No new matter has been added. Specific examples of support are found as follows:

Claims 1 and 53 have been amended to recite that the respective second transfer socket/USB socket receives a digital song and meta-data for the song from a digital music library. This limitation is supported in the original specification at least at paragraphs [0019], [0079] and [0081], at Tables I, V and VII, at elements 690 of FIG. 6G, and at element 810 of FIG. 8A.

Claims 1 and 53 have also been amended to include circuitry to process a digital song and meta-data received by the second transfer socket/USB socket to generate an analog song transferred by the first transfer socket/audio connector socket, to generate meta-data transferred by the second transfer socket/USB socket, and to generate the music played by the mini-jack socket. This limitation is supported in the original specification at least at Table V, and at FIGS. 5 and 8A.

Claim 15 has been amended to include the limitation that the metadata transferred to the radio transmitter includes a name of the hand-held digital music

player. This limitation is supported in the original specification at least at Table IX.

Examiner Interview

Applicants thank the Examiner for the courtesy of conducting a telephonic interview with applicant's representative, Marc A. Berger, on November 5, 2009.

The parties discussed the claim amendments included herein.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 4-6, 10-14, 16-17 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0058649 by Grady et al. ("Grady") in view of U.S. Patent Publication No. 2004/0224638 A1 by Fadell et al. ("Fadell"), Csicsatka U.S. Patent Publication 2003/0158737 A1 ("Csicsatka"), and U.S. Patent Publication No. 2004/0117442 A1 by Thielen ("Thielen"). Applicants do not admit that Fadell is prior art and reserve the right to swear behind Fadell at a later date.

Grady describes an FM transmitter and power supply/charging accessory for MP3 players. In particular, Grady shows an MP3 player with a scroll wheel for user input docked with a FM transmitter.

Fadell describes a docking station that allows a media player to communicate with other media devices. In particular, Fadell describes that a docking connector may be split and directed to multiple second connectors within the media player.

Csicsatka describes a digital audio player and digital audio files with improved ID3 tags. In particular, Csicsatka describes separate headphone and line out jacks.

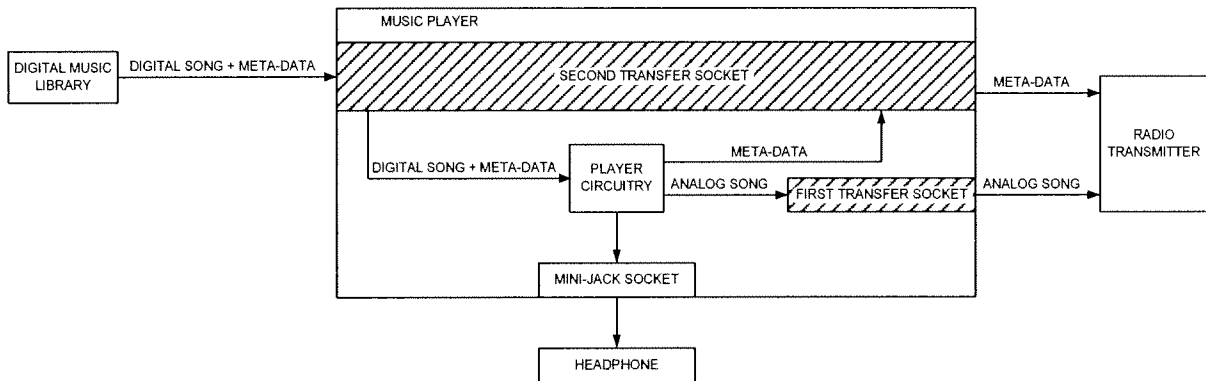
Thielen describes a digital content player having an embedded FM transmitter, an embedded wireless link for content loading from a content server, and a docking interface to attach the player to a docking station or multi-use power cord, wherein the docking interface provides a connection for power, audio, data, and control.

Applicants respectfully submit that the combination of Grady, Fadell, Csicsatka, and Thielen fails to disclose

- a mini-jack socket on said casing to play music into a headphone;
- a first transfer socket on said casing, distinct from the mini-jack socket, through which an analog song is transferred to an external radio transmitter;
- a second transfer socket on said casing, distinct from the mini-jack socket and the first transfer socket, through which a digital song and meta-data for the song are received from a digital music library, and through which the meta-data for the song is transferred to the radio transmitter; and
- circuitry to process the digital song and meta-data received by said second transfer socket from the digital music library, to generate the analog song transferred by said first transfer socket to the radio transmitter, to generate the meta-data transferred by said second transfer socket to the radio transmitter, and to generate the music played by said mini-jack socket into the headphone.

(Amended claim 1).

Applicants have amended claim 1 to include the limitation that the second transfer socket receives a digital song and meta-data from a digital music library. An exemplary illustration of the claimed subject matter of claim 1 is shown below:



This functionality is not taught or suggested by the cited art. Grady describes a music player with a headphone connector/jack (that mates with element 26/226 in Figs. 1 and 12) and a USB/Firewire connector (that mates with element 28/228 in Figs. 1 and 12). The Examiner cites Fadell, which states that, instead of a single data port, multiple data ports may be incorporated into the media player. Even if one of Grady's connectors was split into two separate ports in light of Fadell, the combination still fails to disclose circuitry to generate metadata transferred by the second transfer socket to the radio transmitter. Grady and Fadell are silent regarding metadata. The Examiner cites Thielen as disclosing sending metadata to a radio transmitter. Thielen, however, discloses an internal radio transmitter and, therefore does not generate and transfer metadata over a transfer socket. (Thielen, paragraph [0128]). In other words, Thielen does not teach or suggest generating the analog song which is transferred over a first transfer socket and generating metadata which is transferred, separately and distinctly, over a second transfer socket. Csicsatka describes tags which can be used to display text on a display screen of an audio player. Csicsatka, however, only describes transferring audio - i.e., Csicsatka does not teach or suggest generating the analog song which is

transferred over a first transfer socket and generating metadata which is transferred over a second transfer socket.

Accordingly, applicants respectfully submit that Grady, Fadell, Csicsatka, and Thielen, alone or in combination, fail to disclose all of the features of claim 1 and that the rejection has been overcome.

Given that claims 4-6, 10-14, and 16-17 are dependent upon claim 1, and include additional features, applicants respectfully submit that the rejection of claims 4-6, 10-14, and 16-17 has been overcome for at least the same reasons as above.

While claim 53 differs from claim 1, it contains similar features to those argued above with reference to claim 1 as well as the exemplary illustration of claim 1 above. Applicants, therefore, respectfully submit that the combination of Grady, Fadell, Csicsatka, and Thielen also fails to disclose

- an audio connector socket through which an analog song is transferred to an external FM radio transmitter, for broadcast at a specific FM frequency;
- a mini-jack socket, distinct from the audio connector socket, to play music into a headphone;
- a USB socket, distinct from the audio connector socket and from the mini-jack socket, through which a digital song and meta-data for the digital song is received from a digital music library, and through which meta-data for is transferred to a radio data system (RDS), which is a sub-carrier of the specific FM frequency; and
- circuitry to process the digital song and meta-data received by said USB socket from the digital music library, to generate the analog song transferred by said audio connector socket to the FM radio transmitter, to generate the meta-data transferred by said USB socket to the RDS, and to generate the music played by said mini-jack socket into the headphone.

(Amended claim 53).

Accordingly, applicants respectfully submit that the rejection has been overcome.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Grady, Fadell, Csicsatka, and Thielen as applied to claim 6, and further in view of admitted prior art.

Given that claims 7 and 8 are dependent upon claim 1, and include additional features, and given that the admitted prior art does not remedy the shortcomings of Grady, Fadell, Csicsatka, and Thielen discussed above, applicants respectfully submit that the rejection of claims 7 and 8 has been overcome for at least the reasons set forth above.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Grady, Fadell, Csicsatka, and Thielen as applied to claim 6, and further in view of Matsuda et al., U.S. Patent No. 6,774,604 (hereinafter, "Matsuda").

Given that claim 9 is dependent upon claim 1, and includes additional features, and given that Matsuda does not remedy the shortcomings of Grady, Fadell, Csicsatka, and Thielen discussed above, applicants respectfully submit that the rejection of claim 9 has been overcome for at least the reasons set forth above.

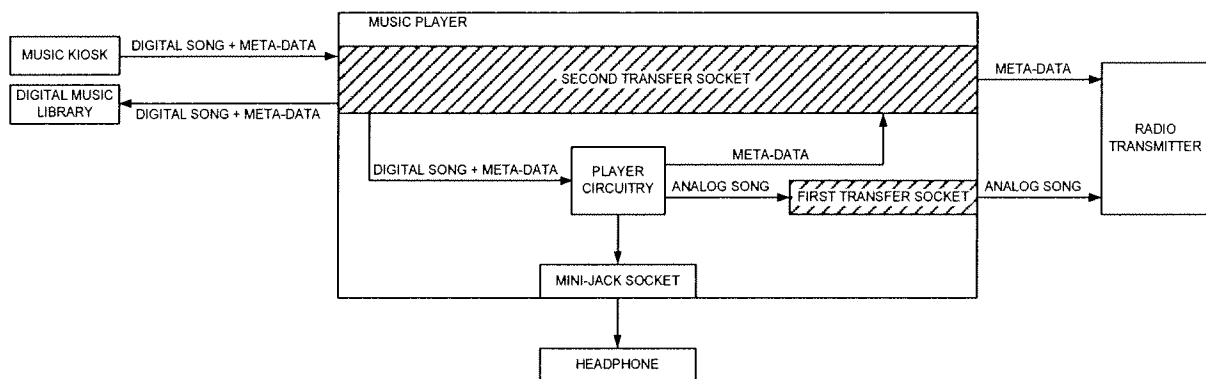
Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Grady, Fadell, Csicsatka, and Thielen as applied to claim

14, and further in view of Ohmura et al., U.S. Patent No. 7,158,842 (hereinafter, "Ohmura").

Given that claim 15 is dependent upon claim 1, and includes additional features, and given that Ohmura does not remedy the shortcomings of Grady, Fadell, Csicsatka, and Thielen discussed above, applicants respectfully submit that the rejection of claim 15 has been overcome for at least the reasons set forth above.

New Claims

Applicants have added new claims 56 and 57, which include features such as: the second transfer socket / USB socket receiving a digital song and meta-data for the song from a music kiosk and transferring the received digital song and meta-data to a digital music library. An exemplary illustration of the claimed subject matter of claims 56 and 57 is shown below:



Support for claims 56 and 57 is found in the original specification, e.g., at least in paragraphs [0096] and [00110], and Table V.

Given that new claims 56 and 57 are dependent upon claims 1 and 53, respectively, and include additional features, applicants respectfully submit that the

rejection of claims 56 and 57 has been overcome for at least the reasons set forth above.

CONCLUSION

Applicants respectfully submit that in view of the amendments and arguments set forth herein, the applicable objections and rejections have been overcome.


Applicants reserve all rights under the doctrine of equivalents.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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